

REMARKS

Claims 1, 3, 4 and 12 are pending in this application. By this Amendment, claims 1 and 12 are amended. The amendments introduce no new matter because they are supported by at least paragraph [0010] of the specification, as originally filed. Claim 12 is provisionally withdrawn from consideration. A Request for Continued Examination is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 2, indicates that claim 12 remains withdrawn from consideration. Applicants respectfully request that, upon finding independent claim 1 allowable, claim 12, acknowledged by a previous Office Action as constituting a combination claim, be rejoined and allowed.

The Office Action, in paragraph 3, rejects claims 1, 3 and 4 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the claims are asserted to contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed had possession of the claimed invention. This rejection is respectfully traversed. The Office Action appears to improperly construe the claim term recited in claim 1 "at least one tire constitutive member" to require that each tire constitutive member meet the amended claim language. This is an improper interpretation of the claims. The Office Action concedes that support for the winding direction is found in the "sidewall." At least the sidewall, therefore, meets the claim language of "at least one tire constitutive member" having the winding commencing at a radially outermost part of the member and moving radially inward.

Applicants' representative telephoned the Examiner to discuss this rejection. The Examiner indicated that he understood Applicants' representative's argument and would more fully consider this argument upon submission of formal a response.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3 and 4 under 35 U.S.C. §112, first paragraph, are respectfully requested.

The Office Action, in paragraph 7, rejects claims 1, 3 and 4 under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over, DE 19831 747 A1 to Continental (or U.S. equivalent Patent, U.S. Patent No. 6,923,879 to Blickwedel et al., hereinafter "Blickwedel", all references in this reply will cite to appropriate passages from the disclosure of Blickwedel) alone, or either of these references taken further in view of U.S. Patent No. 5,380,384. to Tokunaga et al. (hereinafter "Tokunaga"). These rejections are respectfully traversed.

Claim 1 recites, among other features, successively winding and joining an unvulcanized rubber strip onto an outer peripheral surface of the expanded carcass band in an unvulcanized state, such that for each turn, a previously wound strip is superimposed at least partially by a successively wound strip, to form at least one tire constitutive member, wherein the rubber strip has a cross-section that is determined depending on the shape of the tire constitutive member to be formed.

Blickwedel discloses a method for producing a tire that includes a stepwise buildup of the tire, the rubber of the tire sidewalls being applied as an extruded rubber strip (Abstract). Blickwedel teaches the sidewall rubber of the tire is applied as an extruded rubber strip in the form of a spiral onto the sides of a carcass which is already produced in its final contour and is at least partially vulcanized (col. 4, lines 40-44). Such represents an important distinction over the subject matter of the pending claims in that even when the rubber member of Blickwedel is laminated to the carcass, it may be difficult to achieve good adhesion between

the carcass and the rubber member. In any event, for at least this reason, Blickwedel fails to teach, or reasonably to have suggested, the combination of features as positively recited in independent claim 1, specifically a feature in which an unvulcanized rubber strip is successively wound and joined to an unvulcanized expanded carcass band. Further, Tokunaga is not applied in a manner which would overcome the shortfall on the application of Continental/Blickwedel to the features positively recited in independent claim 1.

Tokunaga is applied only to bolster the position that a preliminary step to the above of radially outwardly expanding a cylindrical carcass is a conventional tire building step. This is a conclusion that Applicants do not necessarily concede. Because such an alleged disclosure, however, does nothing to cure the shortfall in the application of Continental/Blickwedel as applied to the feature of a winding direction for the unvulcanized rubber strip, even the combinations of the applied references cannot reasonably be read to have suggested such a feature.

For at least the above reasons, Continental/Blickwedel even when taken in combination with Tokunaga cannot reasonably be considered to have suggested the combination of features positively recited in independent claim 1. Further, the features recited in claims 3 and 4 are also not suggested by any combination of the applied references for at least the dependence of these claims on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites. Claim 12 recites a similar feature, and as such is also not suggested by any combination of the above prior art references.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3 and 4 under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Continental/Blickwedel alone, or in view of Tokunaga, are respectfully requested.

The Office Action, in paragraph 5, rejects claims 1, 3 and 4 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0074077 to Ikeda et al. (hereinafter "Ikeda"). This rejection is respectfully traversed.

Ikeda was indicated as not available as prior art based on Applicants claim of priority.

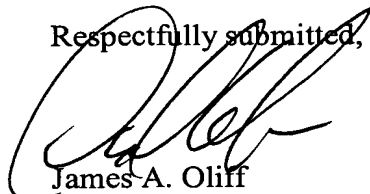
The Office Action, in paragraph 5, asserts that Ikeda is applied for the same reason as set forth in the last Office Action indicating that for the same reason that the pending claims are considered not to have descriptive support in the present specification, they also are not considered to have descriptive support in the priority document. For at least the reasons indicated above regarding the propriety of the 35 U.S.C. §112, first paragraph, rejection of the pending claims, Applicants further assert that the priority documents provide support as well for the subject matter of the pending claims.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3 and 4 under 35 U.S.C. §102(e) as being anticipated by Ikeda are respectfully requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 4 and 12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

Attachments:

Petition for Extension of Time
Request for Continued Examination

JAO:DAT/cfr

Date: August 3, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
